



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 4

#### PUBLIC HEALTH FUNCTIONS OF HEALTH BOARDS

##### *Compensation*

#### **57 Compensation for persons subject to certain orders**

- (1) A health board may compensate any person—
  - (a) who is subject to—
    - (i) an exclusion order;
    - (ii) a restriction order; or
    - (iii) a quarantine order; and
  - (b) who incurs any loss caused by complying with the order.
- (2) Subsection (1) does not apply where the loss is attributable to the fault of the person claiming the loss.
- (3) Any dispute as to—
  - (a) a person's entitlement to compensation under this section; or
  - (b) the amount of such compensation,is to be determined by a single arbiter appointed by agreement between the board and the person claiming loss or, if such agreement cannot be reached, by the sheriff.
- (4) The Scottish Ministers may, by regulations, make further provision about compensation to which this section applies.

#### **Commencement Information**

**II** S. 57 in force at 1.10.2009 by S.S.I. 2009/319, art. 2(a), Sch. 1

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 57.